

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JULIAN J. LOZANO,

Plaintiff,

vs.

CAPT. HUBNER, et al.,

Defendants.

1:05-CV-00552-AWI-DLB-P

ORDER TO SUBMIT NEW APPLICATION  
TO PROCEED IN FORMA PAUPERIS AND  
CERTIFIED COPY OF TRUST ACCOUNT  
STATEMENT **OR** PAY FILING FEE

Plaintiff is a state prisoner proceeding proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983.

On May 12, 2005, the court ordered plaintiff to pay the \$250.00 filing fee or submit an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. On June 6, 2005, plaintiff filed an application to proceed in forma pauperis. However, plaintiff's application did not include the required original signature by an authorized officer of the institution of incarceration. Additionally, plaintiff has not filed a certified copy of his prison trust account statement for the six month period immediately preceding the filing of the complaint. See 28 U.S.C. § 1915(a)(2). Plaintiff will be provided the opportunity to submit a new application to proceed in forma pauperis and a certified copy of his trust account statement, **or** to pay the \$250.00 filing fee.

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk's Office shall send to plaintiff the form for application to proceed in forma pauperis.

2. Within thirty days of the date of service of this order, plaintiff shall submit a completed application to proceed in forma pauperis and a certified copy of his prison trust account

1 statement for the six month period immediately preceding the filing of the complaint, or in the  
2 alternative, to pay the \$250.00 filing fee for this action. Failure to comply with this order will result in  
3 a recommendation that this action be dismissed.

4  
5 IT IS SO ORDERED.

6 **Dated: June 21, 2005**  
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/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE